

**REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Prior to entry of this amendment, claims 1-5 are pending. By this amendment, claims 1, 3 and 5 are amended. The subject matter of the amendments to claims 1, 3 and 5 is fully supported in the specification as filed, and thus, no new matter is added.

**Claims 1-5 Recite Patentable Subject Matter**

In the Office Action mailed May 10, 2005, claims 1 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,590,288 to Castor et al. (hereinafter, "Castor") in view of U.S. Patent No. 6,272,529 to Lum (hereinafter, "Lum"). Claims 2 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Castor and Lum as applied to claims 1 and 3 and further in view of U.S. Patent No. 5,510,979 to Moderi et al. (hereinafter, "Moderi"). Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,374,248 to Nazari (hereinafter, "Nazari") in view of Castor and further in view of Lum. It is noted that claims 1, 3 and 5 have been amended. To the extent that the rejections remain applicable to the claims currently pending, the Applicant hereby traverses the rejection, as follows.

Claims 1, 3 and 5, as amended recite, in part:

a plurality of clients linked in series, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing of application or applications installed therein in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests.

Castor teaches a distributed data processing system which includes a computer network and a plurality of computers connected to the network. In Castor, each computer includes a processor, memory and a plurality of peripheral devices. Castor teaches storing operating system software, application software and data for a first computer in a secondary storage of a second computer. However, Castor teaches that when the first computer is initialized, it retrieves the operating system, application program and data from the second computer's secondary storage. Thus, after initialization, the first computer has loaded in its main memory operating system programs, application programs and data from the secondary storage device of the second computer. Therefore, in Castor, when a computer needs to execute an application, the computer executes the application and obtains the results of the execution independently.

Castor does disclose or suggest that a computer can request another computer to execute one of a plurality of procedures by passing the other computer a specific procedure designator, as claimed in amended claims 1, 3, and 5. The applicant submits that this is not the same as a client executing an application installed in the client and returning the results to a requesting client, as claimed. Thus, the Applicant submits that Castor neither discloses nor suggests at least the combination of a plurality of clients linked in series, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing of an application or applications installed therein in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests as recited in independent claims 1, 3 and 5, as amended.

Moderi teaches a hardware configuration for an integrated computer system 10 for retail sales including a plurality of front counter registers (FCRs 20), a shared memory unit (CCU 22) and an off-line computer (OLC 24). In Moderi, the FCRs 20 include a processing means for tabulating entered data and executing programs created or modified by the OLC 24. The FCRs 20 further include random access memory means for storing application and operating system programs while being executed by the processing means within the FCRs 20. Thus, in Moderi, when an FCR 20 requires access to an application, the application is temporarily stored in the memory of the FCR 20 and executed by the processor of the FCR 20. Moderi neither discloses nor suggests at least the combination of a plurality of clients linked in series, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing of application or applications installed therein in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests, as recited in independent claims 1, 3 and 5, as amended. Rather, as explained above, the FCRs of Moderi execute applications and obtain the results thereof independently.

Lum and Nazori are neither cited for, nor do they, cure the deficiencies of the above combination. That is, Neither Lum nor Nazori discloses or suggests at least the combination of a plurality of clients linked in series, wherein at least one of said clients is operable in standalone fashion and has server functionality so that it executes processing of application or applications installed therein in response to requests issued by other clients and outputs the results of the processing to said clients that issued such requests as recited in independent claims 1, 3 and 5, as amended.

To establish *prima facie* obviousness of a rejected claim, the applied art of record must teach or suggest each feature of a rejected claim. See M.P.E.P. §2143.03. As explained above, none of the applied art of record, either alone or in combination, teaches or suggests each and every feature recited in independent Claims 1, 3 and 5. Accordingly, the Applicants respectfully submit independent Claims 1, 3 and 5 are not rendered obvious in view of the applied art of record and are in condition for allowance.

As claims 1, 3 and 5 are allowable, claims 2 and 4, which depend from claims 1 and 3, respectively, are likewise allowable for the same reasons as claims 1 and 3, as well as for the additional subject matter recited therein. Withdrawal of the rejections is respectfully requested.

Moreover, with regard to each of the rejections under §103 in the Office Action, it is also respectfully submitted that the Examiner has not yet set forth a *prima facie* case of obviousness. The PTO has the burden under §103 to establish a *prima facie* case of obviousness. In re Fine, 5 U.S.P.Q.2nd 1596, 1598 (Fed. Cir. 1988). Both the case law of the Federal Circuit and the PTO itself have made clear that where a modification must be made to the prior art to reject or invalidate a claim under §103, there must be a showing of proper motivation to do so. The mere fact that a prior art reference could arguably be modified to meet the claim is insufficient to establish obviousness. The PTO can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. Id. In order to establish obviousness, there must be a suggestion or motivation in the reference to do so. See also In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) (prior art could not be

turned upside down without motivation to do so); In re Rouffet, 149 F.3d 1350 (Fed. Cir. 1998); In re Dembiczak, 175 F.3d 994 (Fed. Cir. 1999); In re Lee, 277 F.3d 1338 (Fed. Cir. 2002).

In the Office Action, the Examiner merely states that the motivation for combining the references is found in certain advantages stated by the Examiner (see, e.g., Office Action at pp. 4-6). The Examiner, however, indicates nothing from within the applied references to evidence the desirability of this combination. This is an insufficient showing of motivation.


**Conclusion**

For all of the above reasons, it is respectfully submitted that claims 1-5 are in condition for allowance and a Notice of Allowability is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300 referencing client matter number 024304-00000. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 024304-00000.

Respectfully submitted,

  
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